

THOMAS A. MARINO
United States Attorney
G. MICHAEL THIEL
Assistant U. S. Attorney
William J. Nealon Federal Building
Scranton, PA 18501
Phone: (570)348-2800

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,)	CRIMINAL NO.CR-00-0022-02
Plaintiff,)	
)	
v)	EX PARTE PETITION FOR
)	REMISSION OF FINE AND
NICANOR OMAR GORDON,)	ORDER THEREON
Defendant.)	(Caldwell, J.)

The United States of America, by its undersigned attorneys, petitions this Court pursuant to 18 U.S.C. Section 3573, as amended by P.L. 100-690, November 18, 1988, for remission of the fine and penalty assessment imposed in this case.

STATEMENT OF FACTS

1. On October 13, 2000, judgment was entered in this Court against the above defendant, levying a fine and assessment in the amount of \$100.00.

2. The defendant was deported August 31, 2004 as per Probation Officer, Anthony Harvilla.

3. The United States Attorney has been unable to collect the fine.

4. 18 U.S.C Section 3573 provides that:

"Upon petition by the government that reasonable efforts to collect the fine or assessment are not likely to be effective, the court may in the interest of justice--

1) remit all or part of the unpaid portion of the fine or special assessment, including interest and penalties."

Public Law 100-690 (November 18, 1988) amends 18 U.S.C. Section 3575 by providing that this statute shall apply to all fines and assessments, irrespective of the date of imposition.

5. The United States Attorney has determined that there is no reasonable likelihood that expending further efforts to collect this fine would produce any revenue to the United States. Any further efforts would, in fact, be contrary to the interest of the United States because such efforts would needlessly expend resources that could be better directed to areas with greater potential for recovery.

THEREFORE, the United States Attorney petitions this Court for an order pursuant to 18 U.S.C. Section 3573, as amended, remitting the fine and penalty assessment, including interest and penalty.

Statement of Account:

Fine	\$100.00
Interest at %	
25% late-payment	
Total Payments	75.00
TOTAL DUE	\$ 25.00

Dated: June 24, 2005

THOMAS A. MARINO
United States Attorney

G. MICHAEL THIEL
Assistant U.S. Attorney

KAREN M. MUSLOSKI
Paralegal Specialist

